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August 9, 2022

Hon. Norman Moon, U.S.D.J.
United States District Court for the
Western District of Virginia
255 W. Main Street
Room 304
Charlottesville, VA 22902

Re: Henley et al. v. City of Charlottesville
Case No. 3:22-cv-00027

Dear Judge Moon:

This is to advise the Court that, in addition to the cases cited in plaintiffs' memorandum with regard to defendant's motion to dismiss Count I of plaintiffs' complaint, plaintiffs intend to rely on the case of *Lemond v. Mcelroy*, 239 Va. 515, 391 S.E.2d 309 (Va. 1990).

Respectfully submitted,

s/

Jeffrey E. Fogel
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I certify that the within letter to Judge Moon has been served on defendant on August 9, 2022 by filing the same with the court's ECF system which will give notice to all attorneys of record.

s/_____
Jeffrey E. Fogel